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December 21, 2021

By ECF

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Michael Avenatti*, 19 Cr. 373 (PGG)

Your Honor:

I write concerning a letter submitted by counsel for Gary Franklin, which was sent to Chambers yesterday via FedEx with all parties copied. Mr. Avenatti has been cooperating with Mr. Franklin's lawsuit against Mark Geragos, including agreeing to sit for a deposition next week and promptly responding to document requests.¹ Many of the subpoenaed documents, however, are subject to the protective order sought by the government and entered by the Court on May 29, 2019 (Dkt. 16, the Protective Order). Mr. Avenatti has no objection to providing these documents to Mr. Franklin's counsel, whether by excluding the requested documents from the Protective Order's scope or any other means the Court deems appropriate. We have requested the government's position on this matter. But Mr. Avenatti, for his part, has no objection to loosening or eliminating the Protective Order to allow Mr. Franklin's counsel to obtain these documents.

Respectfully submitted,

/s/ Benjamin Silverman
Benjamin Silverman
Attorney for Michael Avenatti

cc: Counsel of record (by ECF)

¹ Mr. Geragos, who previously had the government's support when he asserted the Fifth Amendment to defeat a subpoena to testify as a witness at Mr. Avenatti's trial (*see* Dkts. 172, 215), has elected to respond to testimonial discovery requests in the civil lawsuit against him, including interrogatories.